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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,738	05/20/2004	Iuri Mehr	A0312.70498US00	8573

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EXAMINER

CHOE, HENRY

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/849,738

Applicant(s)

MEHR, IURI

Examiner

Henry K. Choe

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-4, 15-19, 25-29, 35, 36 and 40-43 is/are rejected.
 7) ☒ Claim(s) 5-14, 20-24, 30-34 and 37-39 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 5/20/04.
 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 16, 18, 25-28 and 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakayama (Fig. 2).

Regarding claims 1, 28 and 40, Nakayama (Fig. 2) discloses an amplifier circuit comprising a tuner amplifier input (A), a first amplifier (IC1) comprising an input (- input of IC1) and an output (output of IC1) and the input (- input of IC1) of the first amplifier (IC1) being coupled to the tuner amplifier input (A), a second amplifier (IC2) comprising an input (- input of IC2) and an output (output of IC2) and the input (- input of IC2) of the second amplifier (IC2) being coupled to the tuner amplifier input (A), and a switch (SW') adapted to couple one (output of IC1 or output of IC2) of the first amplifier output (output of IC1) and the second amplifier output (output of IC2) to an output (V0) of the tuner amplifier.

Regarding claim 2, the switch (SW') includes a first input (upper left terminal of SW') coupled to the output (output of IC1) of the first amplifier (IC1), a second input (lower left terminal of SW') coupled to the output (output of IC2) of the second amplifier (IC2), and an output (right terminal of SW').

Regarding claim 3, the switch (SW') includes a plurality of switches (TR1 and TR2 in Fig. 3).

Regarding claim 4, the switch (SW') is incorporated within at least one (IC1 or IC2) of the first (IC1) and second (IC2) amplifiers.

Regarding claim 16, an impedance network of the first amplifier (IC1) includes active elements (transistors in IC1).

Regarding claim 18, an impedance network (Rs connecting to the second amplifier IC2) of the second amplifier (IC2) includes substantially no active elements.

Regarding claims 25 and 43, the limitations recited in the claims are intended use of the invention.

Regarding claims 26 and 41, the first amplifier (IC1) includes a differential input (- input of IC1, + input of IC1) and a differential output (V1).

Regarding claims 27 and 42, the second amplifier (IC2) includes a differential input (- input of IC2, + input of IC2) and a differential output (V2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 17, 19, 29, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama (Fig. 2).

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Nakayama (Fig. 2) discloses all the limitations in the claims except for that the first amplifier is a fixed gain and the second amplifier is a variable gain, noise figure of the first amplifier equal to or less than approximately 5 dB, selecting the fixed gain amplifier if a power level of the tuner input signal is below a predetermined threshold, and selecting the variable gain amplifier if a power level of the tuner input signal is above a predetermined threshold. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented the specific ranges of the input signal, since they are based on the routine experimentation to obtain the optimum operating parameters.

Allowable Subject Matter

Claims 5-14, 20-24, 30-34 and 37-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Patent numbers (4,833,400; 5,793,253; 6,124,758; 6,288,606) are the parallel amplifiers with the switches.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Choe whose telephone number is (571) 272-1760.


HENRY CHOE
PRIMARY EXAMINER

#1061